

#23
JEM

FACSIMILE

Date: November 10, 2003	From: Nicole E. Kinsey MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza I 2200 Clarendon Blvd., Suite 1400 Arlington, VA 22201 (U.S.A.) (Fax: 703-243-6410)
To: Dianne Maggard USPTO	Writer's Direct Dial: 703-465-5353
Facsimile No.: 703-308-6200	Writer's Internet Address: kinsey@mwzb.com
Telephone No..	
Re: US Serial No 09/646,924 Our Ref: MERCK 2157	

Total No. of Pages: 1; if you do not receive all pages, please call (703) 243-6333

Dear Examiner Maggard:

As requested, enclosed is a copy of the RCE and submission previously filed on September 16, 2003.

If you have any questions regarding this matter, please do not hesitate to contact us.

Best personal regards,

Nicole E. Kinsey,
Patent Agent

NEK:tc

Information contained in this facsimile may contain privileged and confidential information and is intended solely for the use of the addressee listed above. If you are neither the intended recipient nor the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any disclosure, copying or distribution of, or the taking of any action in reliance on the contents of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone on (703) 243-6333 to arrange for return of the original document to us at our cost. Thank you.

PTO/SB/30 (08-00)

Approved for use through 10/31/2002, OMB 0651-0091

U S Patent and Trademark Office, U S DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/646,924
Filing Date	September 25, 2000
Examiner Name	S Chunaura
First Named Inventor	RASPE et al
Group Art Unit	1637
Attorney Docket Number	MERCK 2157

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. Previously Submitted

- i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. Other _____

b. Enclosed

- i. Amendment/Reply
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other _____

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(c) is required by 37 C.F.R. § 1.114 when the RCE is filed

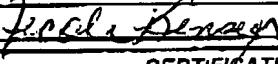
a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No 13-3402

- i. RCE fee required under 37 C.F.R. § 1.17(e)
- ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. Other _____

b. Check in the amount of \$ 750.00 enclosed

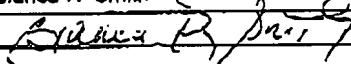
c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Nicole E. Kinsey	Registration No (Attorney/Agent)	50,723
Signature		Date	September 16, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U S Patent and Trademark Office on

Name (Print/Type)	Blanca R. Smith		Date	September 16, 2003
Signature				

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES and COMPLETED FORMS to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231